Docket No.: RIC 96 161

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Randy HABERMAN, et al.

Serial No.: 09/002,187

Group Art Unit: 2152

Filed: December 31, 1997

Examiner: T. Vu

For:

SYSTEM AND METHOD FOR ESTABLISHING A VIRTUAL CIRCUIT IN AN ATM

**NETWORK** 

# PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a)

Assistant Commissioner for Patents Washington, DC 20231

Sir:

Applicant hereby respectfully petitions for withdrawal of the holding of abandonment in the above-mentioned application.

In response to the Notice of Allowance issued December 18, 2000, an Issue Fee payment was timely filed with a certificate of mailing on Monday, March 19, 2001. The postcard evidence provided herewith shows that the issue fee was, in fact, paid by Applicant and received by the U.S. Patent and Trademark Office. See attachment I.

Even though Applicants have properly paid the Issue Fee (See attachment II), a Notice of Abandonment has been received (dated April 26, 2001). Applicant respectfully submits that, in view of the postcard evidence provided herewith, the issue fee was, in fact, filed by Applicant and received by the U.S. Patent and Trademark Office. Applicant therefore submits that the proper payment of the Issue Fee should allow the application to issue as a patent. It is respectfully requested that, the abandonment of the application be withdrawn and that the application be forwarded to issue branch in preparation for issuance.

Serial No.: 09/002,187

### **CONCLUSION**

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 13-2491 and please credit any excess fees to such deposit account.

Respectfully submitted, WorldCom, Inc.

Brian C. Oakes

Registration No. 41,467

Technology Law Department 1133 19<sup>th</sup> Street, NW Washington, DC 20036 (202) 736-6371

Date: May 10, 2001

Facsimile: (202) 736-6382

Serial No.: 09/002,187

# ATTACHMENT I (Stamped Postcard indicating reception of Issue Fee Payment at USPTO)

# INSTRUCTIONS TO DOCKET CL RK

THE FOLLOWING PAPERS HAVE BEEN FILED:

DESCRIPTION OF PAPER

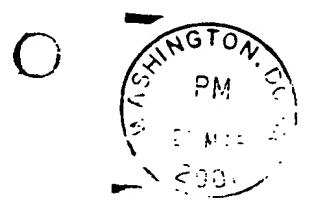
Issue Fee Payment Transmittal; Submission

of Formal Drawings Letter; (5) Sheets of (5) Figures of Formal

Drawings; Transmittal Form; Certificate of Mailing; Return

Postcard

		(
APPLICANT	Randy Raberman et al	
SERIAL NO.	09/002,187	
ATTORNEY DOCKET NO.	RIC 96 161	
TITLE	System and Method for Establishing a Vi	rt
SENDERS' \\ INITIALS	ANT DATE 3/19/2001	





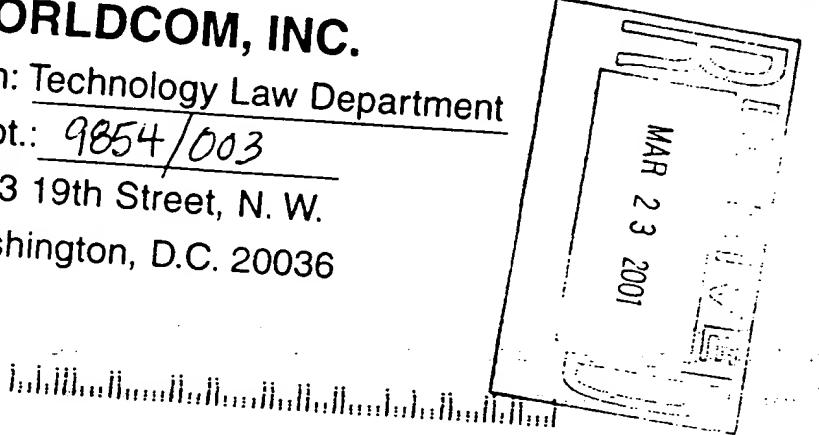
# WORLDCOM, INC.

Attn: Technology Law Department

Dept.: 9854/003

1133 19th Street, N. W.

Washington, D.C. 20036



Serial No.: 09/002,187

## ATTACHMENT II

(Copy of Issue Fee Payment and Formal Drawings filed on March 19, 2001)

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PTO/SB/21 (6-98)
Approved for use through 09/30/2000, OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

	•	Application Number	09/002,187		
TRANSMITTAL	_	Filing Date	December 31, 1997		
FORM		First Named Inventor	Randy Haberman et al 2152		
(to be used for all correspondence after initia	d filing)	Group Art Unit			
		Examiner Name	Thong Vu		
Total Number of Pages in This Submission	10	Attorney Docket Number	RIC 96 161		

ENCLOSURES (check all that apply)							
Fee Transmittal Form	Assignment Papers (for an Application)	After Allowance Communication to Group					
Fee Attached	X Drawing(s)	Appeal Communication to Board of Appeals and Interferences					
Amendment / Response	Licensing-related Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)					
After Final	Petition Routing Slip (PTO/SB/69) and Accompanying Petition	Proprietary Information					
Affidavits/declaration(s	Petition to Convert to a Provisional Application	Status Letter					
Extension of Time Request	Power of Attorney, Revocation Change of Correspondence Address	Additional Enclosure(s) (please identify below):					
	- Terminal Disclaimer	Issue Fee Transmittal					
Express Abandonment Reque	Small Entity Statement	Submission of Formal					
Information Disclosure Statem	ent —	Drawing Letter					
Contilled Conv. of Princips	Request for Refund	Return Postcard					
Certified Copy of Priority Document(s)	Remarks						
Response to Missing Parts/ Incomplete Application	<del></del>						
Response to Missing Parts under 37 CFR 1.52 or 1.53							
	THE OF A PRINCIPLE ATTORNEY OF	ACENT					
	TURE OF APPLICANT, ATTORNEY, OR	AGENI					
Firm Paul A. Rob	Paul A. Roberts Reg. No. 40,289						
Individual name WorldCom, Inc.							
Signature	H'C 150						
Date 3/	3/19/01						
CERTIFICATE OF MAILING							

Burden Hour Statement: This form is estimated to take 0.2 fours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Date

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an

envelope addressed to: Assistant-Commissioner for Patents, Washington, D.C. 20231 on this date: March 19, 2001

Typed or printed name Angela N. Trafton.

Signature

ILING INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE. Blocks 1

with a should be completed where appropriate. All further correspondence including the Issue Fiee ceipt, the Patent, advance orders and notification of maintenance fees will be mailed to the current respondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) ecrying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for aintenance fee notifications.  RRENT CORRESPONDENCE ADDRESS (Note: Legiply mark-up with any corrections or use Block 1)					for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.			
					angle	n. Treft	Ol (Signature)	
					3/19	12001	(Date)	
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PLEASE No Inclusion of the PTO or filing an ass	OTE: Unless an assignee assignee data is only ap is being submitted under signment.	E DATA TO BE PRINTED On is identified below, no assignment propiate when an assignment separate cover. Completion Communications	nee data will appe it has been previous n of this form is NC	ear on the patent. usly submitted to OT a subsititue for	of Patents and Trader  _ Issue Fee :_ Advance Order - # 0	of Copies	k payable to Commissioner	
(B) RESIDENCE: (CITY & STATE OR COUNTRY) Washington, DC					4b. The following fees or deficiency in these fees should be charged to:  DEPOSIT ACCOUNT NUMBER 13-2491			
Please check the appropriate assignee category indicated below (will not be printed on the patent)  individual Corporation or other private group entity government					(ENCLOSE AN EXTRA COPY OF THIS FORM)  X Issue Fee  Advance Order - # of Copies			
The COMMIS	SIONER OFFETENTS A	NE TRADEMARKS IS reque	ested to apply the	issue Fee to the an	polication identified above.			
(Authorized Si	Paul A. Ro	berts Reg# 40	,289 Da	te) / 5 / C. /				
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depending of to complete Office, Wash ADDRESS. Patents, Walled Under the Patents	n the needs of the individuals form should be sentington, D.C. 20231. DO SEND FEES AND THIS shington D.C. 20231	is estimated to take 0.2 he idual case. Any comments of the Chief Information NOT SEND FEES OR 0 S FORM TO: Box Issue For 1995, no persons are resulted to 1995.	on the amount of Officer, Patent of OMPLETED FOR See, Assistant Co	of time required and Trademark DRMS TO THIS ommissioner for				
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### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit:

2152

#### HABERMAN et al

Serial No.

09/002,187

Examiner:

T. Vu

Filed:

12/31/1997

Attorney Docket: RIC96 161

For:

System and Method for Establishing a Virtual Circuit in a ATM Network

### Submission of Formal Drawings

**BOX ISSUE FEE Assistant Commissioner for Patents** Washington, DC 20231

Sir:

Transmitted herewith are 5 sheet(s) of 5 figure(s) of formal drawings to be substituted for the corresponding drawing sheets presently on file in the above-identified application.

The Commissioner is hereby authorized to charge payment of extension or petition fees under 37 CFR 1.17 for any additional filing fees required under 37 CFR 1.16, and any patent processing fees under 37 CFR1.16, and any fees associated with the recordation of the Assignment during the pendency of this application or credit any overpayment to our Deposit Account 13-2491.

Respectfully submitted,

Paul A. Roberts Reg. No. 40,289

March 19, 2001

WorldCom, Inc. Technology Law Department 1133 19<sup>th</sup> Street, NW Washington, DC 20036

Tel: (202) 736-6604 Fax: (202) 736-6382

#### IN THE UNITED STATES PATENT AND TRADEM RK OFFICE

In re application of:

Art Unit:

2152

#### HABERMAN et al

Serial No.

09/002,187

Examiner:

T. Vu

Filed:

12/31/1997

Attorney Docket: RIC96 161

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Respectfully submitted,

Paul A. Roberts Reg. No. 40,289

March 19, 2001

WorldCom, Inc. Technology Law Department 1133 19<sup>th</sup> Street, NW Washington, DC 20036

Tel: (202) 736-6604 Fax: (202) 736-6382

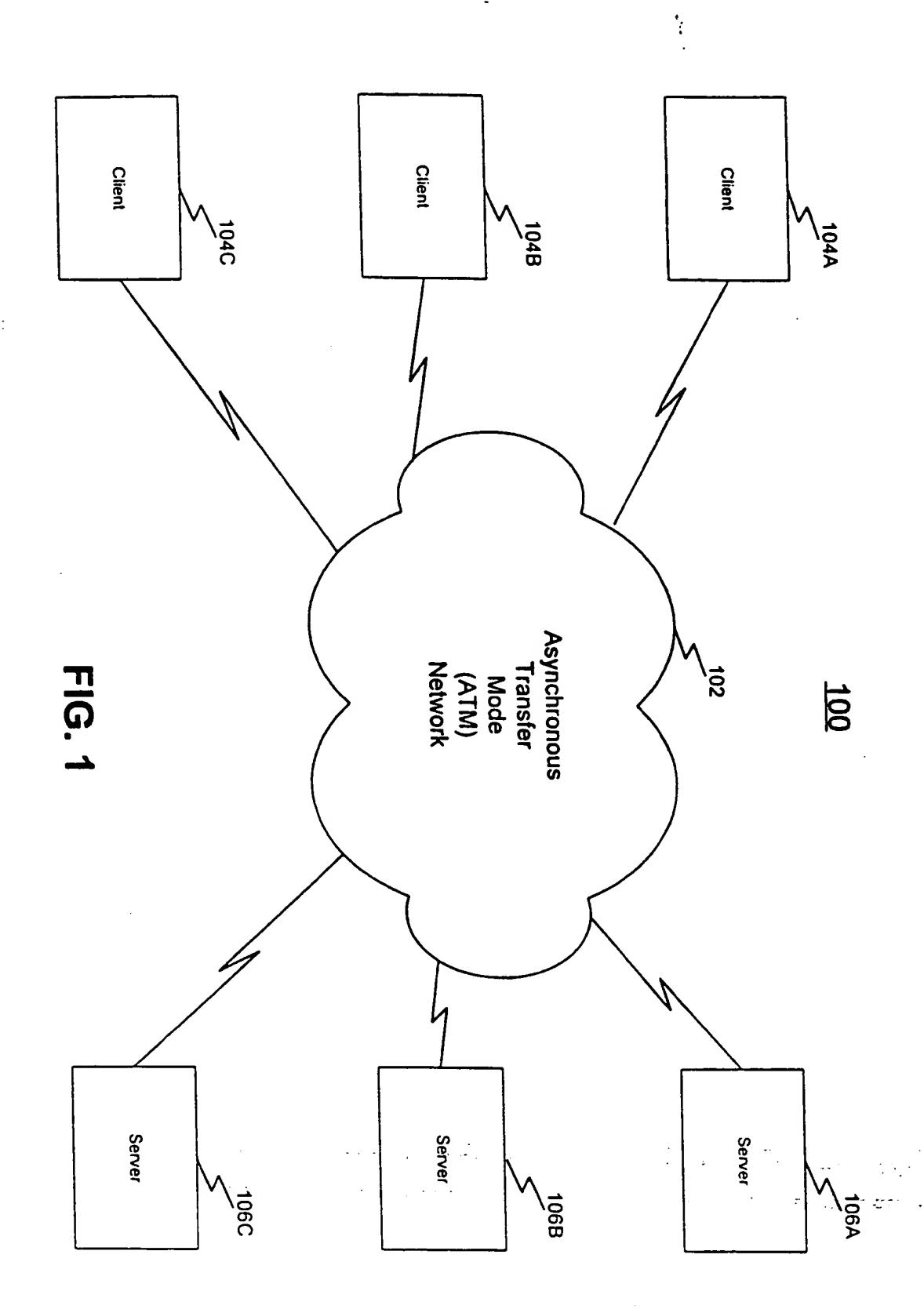
Docket No.: RIC96161

Appln N 09/002.187

Title: System and Method for Establishing a Virtual C...uit in an ATM Network

Inventors: R. Haberman et al

Sheets of Drawings: 1 of 5



Docket No - RIC9618T\*

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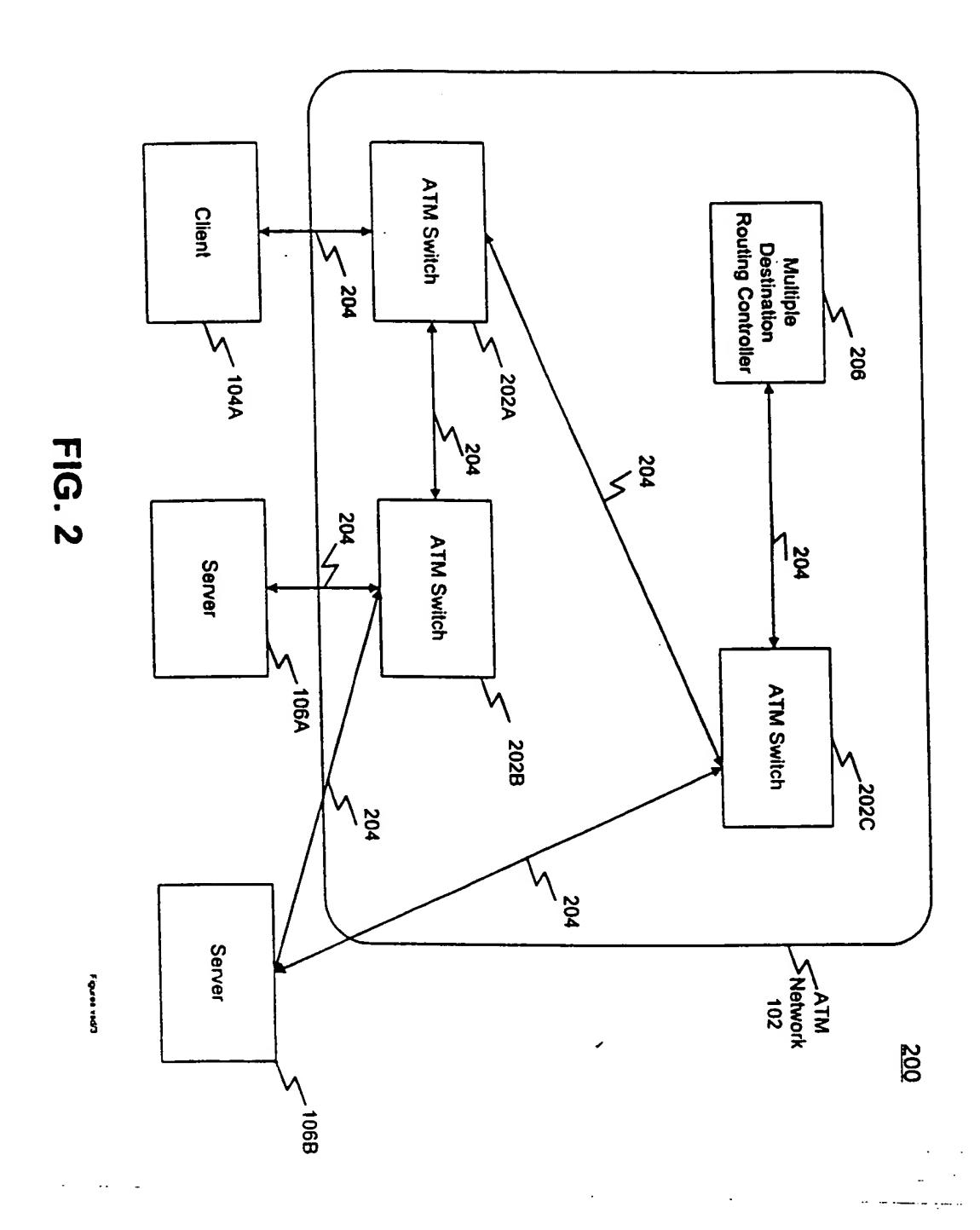
io.: 09/002.187

Circuit in an ATM Network

Inventors: R. Haberman et al

Title: System and Method for Establishing a Vi

Sheets of Drawings: 2 of 5



Docket No.: RIC96161 ... Appln b 39/002.187

Title: System and Method for Establishing a Virtual .it in an ATM Network

Inventors: R. Haberman et al

Sheets of Drawings: 3 of 5

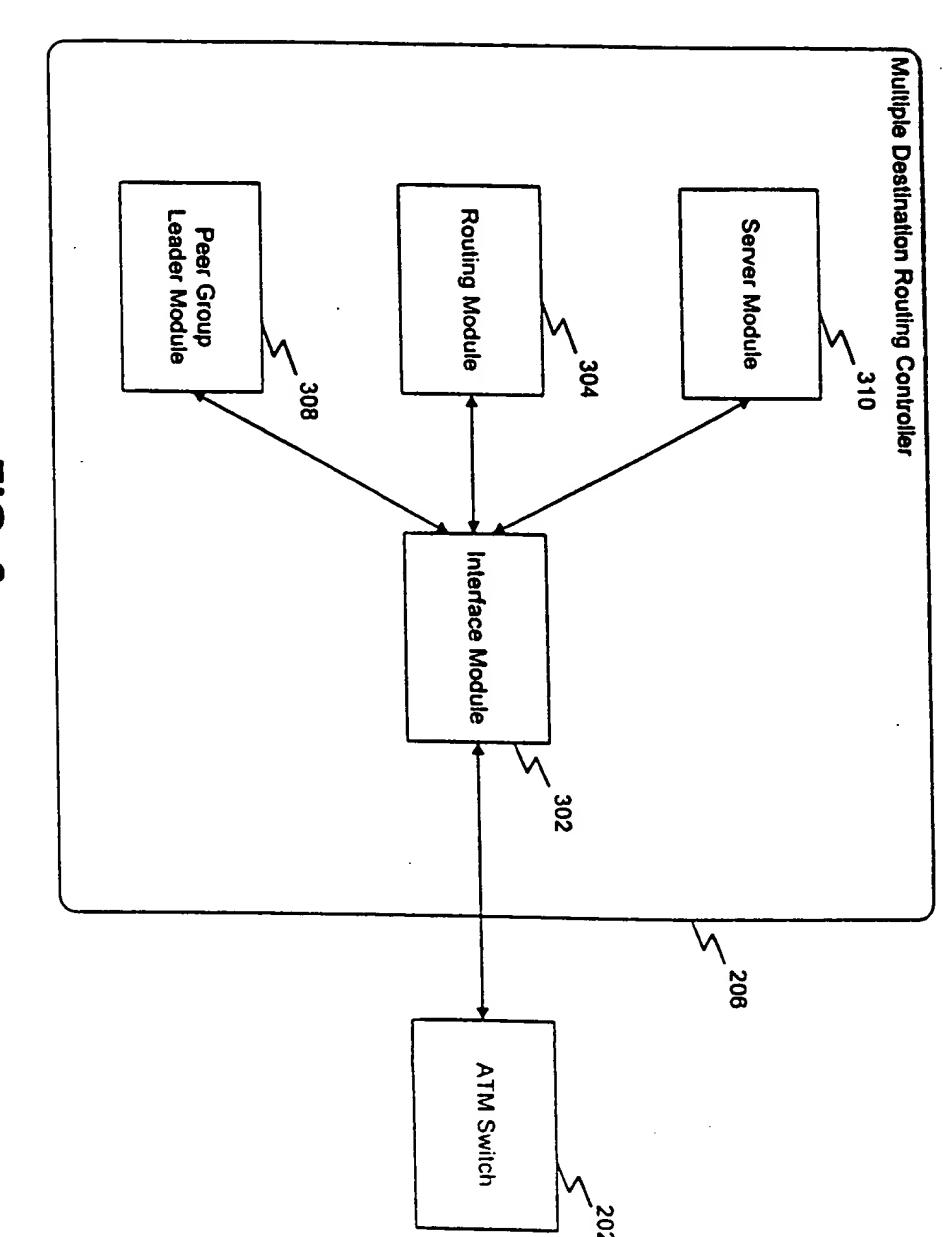


FIG. 3

Docket No.: RIC96161 ~ Appln No.: U 187

Fitle: System and Method for Establishing a Virtual Circui. AFM Network

Inventors: R. Haberman et al

Sheets of Drawings: 4 of 5

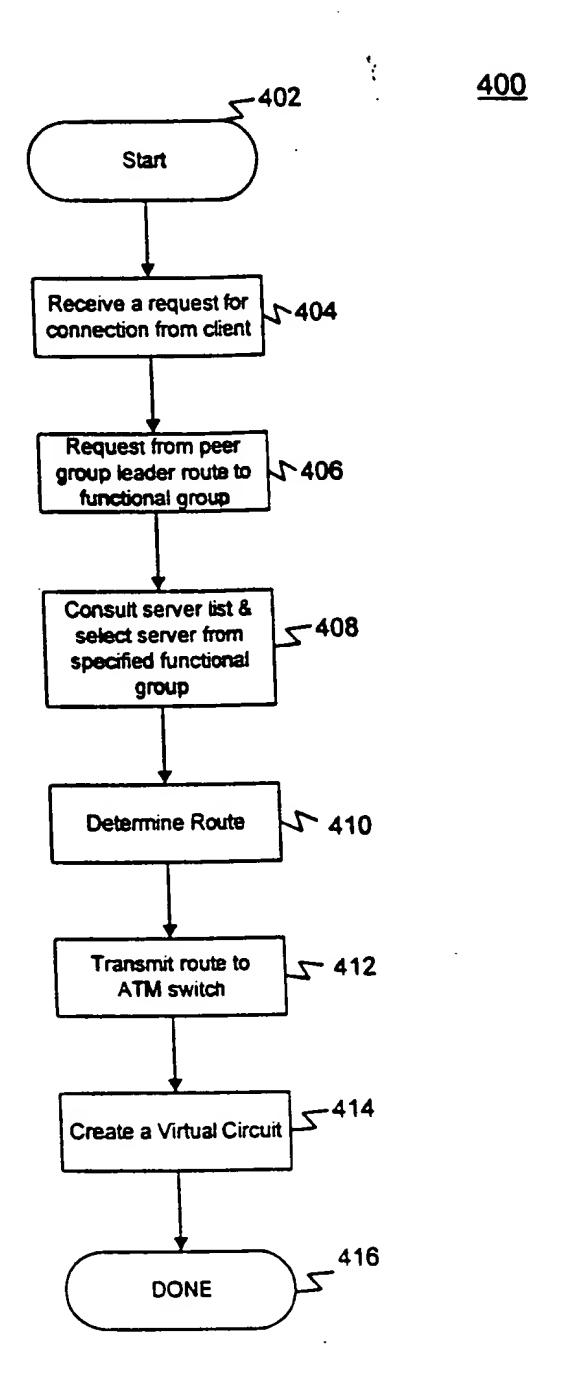


FIG. 4

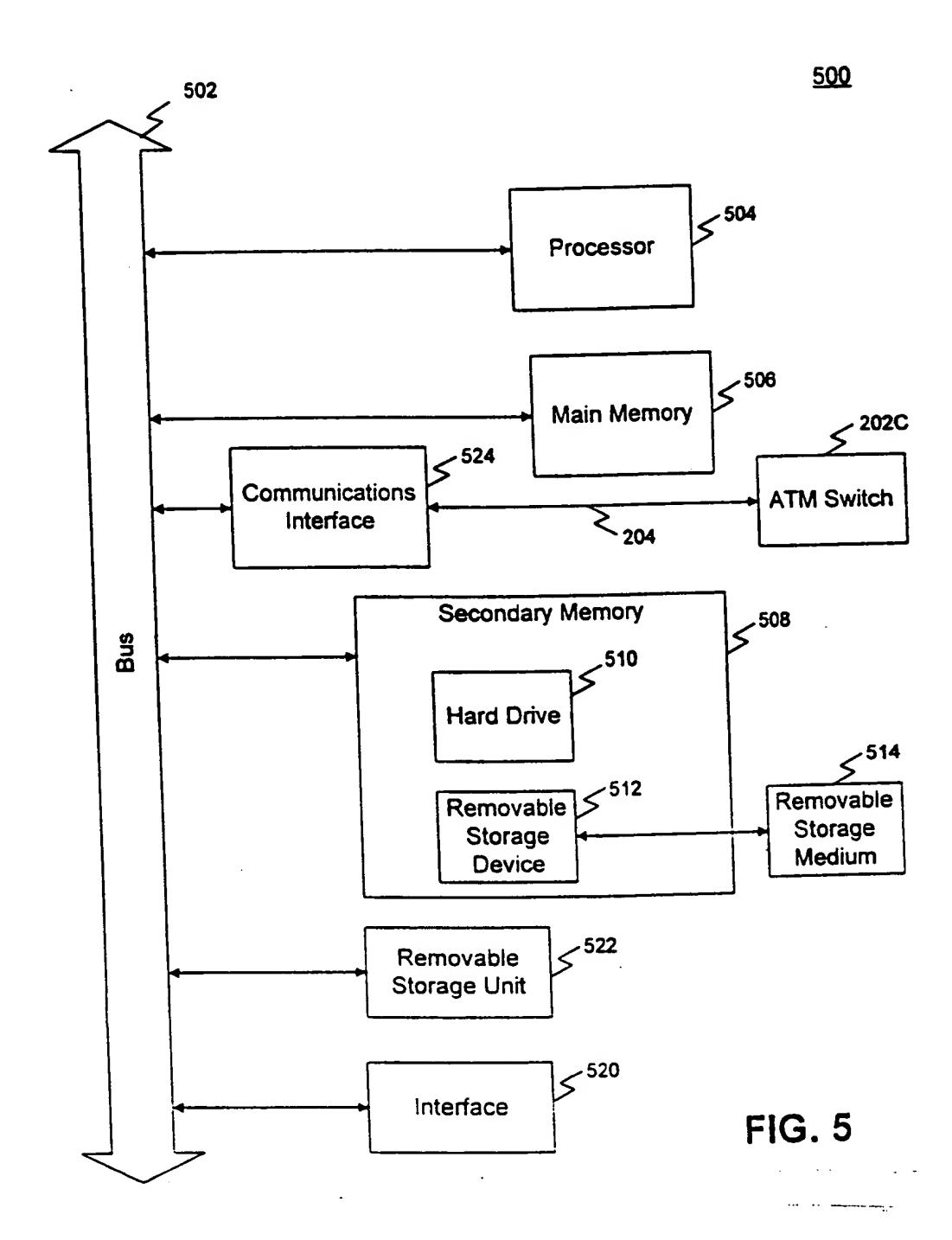
Docket No.: RI©96161 Applin No.:\*

Title: System and Method for Establishing a Virtual Circuit in an ATM Network

**32.187** 

Inventors: R. Haberman et al

Sheets of Drawings: 5 of 5



Jocket No.: RIC9616

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Haberman et al.

Serial No.:

09/002,187

Art Unit:

2152

Filed:

December 21, 1997

Examiner:

T. Vu

Title:

System and Method for Establishing a Virtual Circuit in an ATM Network

## **STATUS INQUIRY**

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Please advise us in writing as to the status of the above-noted application. Applicants filed a Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a) on May 10, 2001, and have not yet received a decision on the Petition. Applicants received a telephone call from Jim Alexander (P/OPPD; (703)305-8387) indicating that the official USPTO file was lost. Applicants believe that this may be hindering the decision on the Petition, so Applicants have included a copy of Applicants' file history.

Should anything further be required, Applicants request that the undersigned be contacted at the telephone number indicated below.

Respectfully submitted,

Date: September 25, 2003

Eden U.J. Stright

Registration No. 51,205

WorldCom, Inc. 1133 19<sup>th</sup> Street, NW Washington, DC 20036 Phone: 202 736-6008 Fax: 202-736-6382

# **Auto-Reply Facsimile Transmission**



TO: Fax Sender at 2027366382

Fax Information

Date Received:

3/25/2004 8:50:13 AM [Eastern Standard Time]

**Total Pages:** 1 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received Cover Page 1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

Applicant(s): Haberman et al.

December 21, 1997

Title: System and Method for Establishing a Virtual Circuit in an ATM Network

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

This is Applicants second request for the status of the Petition to Withdraw Holding of Abandonment Under 37 CFR 1,181(a). Please advise us in writing as to the status of the above-noted application.

Applicants filed a Petition to Withdraw Holding of Abandonment Under 37. CFR 1.181(a) on May 10, 2001, and have not yet received a decision on the Petition. Applicants received a telephone call from Jim Alexander (P/OPPD; (703)305-8367) indicating that the official USPTO file was lost. Applicants believe that this may be hindering the decision on the Petition, so Applicants filed a copy of Applicants' file history on September 26, 2003. However, Applicants still have not yet received any type of action in this case.

Should anything further be required. Applicants request that the undersigned be contacted at the relephone number indicated below

Date: March 24, 2004

Registration No. 51,205

WorldCom, Inc. 1133 19th Street, NW . Washington DC 20036 Phone: 202 736-6008 Fax: 202-736-6382

PAGE (11 'RCVD AT 1757/034 1:50:13 AM [Eastern Standard Time] 'SYRCUSPTO-EFXRE 1:0 DMS-17/59205' CSID: 2027356182 'DURATION (https://doi.org/